

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	8:08CR396
Plaintiff,)	
)	
vs.)	ORDER
)	
DONALD FULFOR, JR.,)	
)	
Defendant.)	

This matter is before the court on the motion for an extension of time by defendant Donald Fulfor, Jr. (Fulfor) (Filing No. 17). Fulfor seeks a two week extension of time in which to file pretrial motions since new counsel has entered an appearance in this matter. Upon consideration, the motion will be granted.

IT IS ORDERED:

Defendant Fulfor's motion for an extension of time (Filing No. 17) is granted. Fulfor is given until **on or before January 5, 2009**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **December 12, 2008 and January 5, 2009**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

DATED this 12th day of December, 2008.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge